

**MINUTES
FREMONT CITY COUNCIL MEETING
FEBRUARY 14, 2012
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- a. Call to Order:** Mayor Morrison called the meeting to order.
- b. Flag Salute:** Councilmember Harrison led the salute to the flag.
- c. Roll Call:** Present: Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra.
- d. Announcements by Mayor/City Manager**

2. CONSENT CALENDAR

- * **a. Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Vice Mayor Natarajan, seconded by Councilmember Harrison, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

- * **b. Approval of Minutes – None.**
- * **c. Mayor Morrison opened consideration of Authorization for the City Manager or His Designee to Execute a Construction and Maintenance Agreement with Union Pacific Railroad for the Construction and Maintenance of an At-grade Pedestrian/Bicycle and Service Vehicle Railroad Crossing at the UPRR/Mission Creek Junction in the Vicinity of Central Park and Gomes Park**

(This item removed from Consent Calendar). City Attorney Harvey Levine responded to questions from Councilmembers.

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Authorized the City Manager or designee to execute a Construction and Maintenance Agreement with Union Pacific Railroad for the construction of an at-grade pedestrian/bicycle and service vehicle railroad crossing at the UPRR/Mission Creek junction in the vicinity of Central Park and Gomes Park.
2. Designated PWC8595, the City's traffic signal maintenance fund account, as the funding source for \$10,000 per year to cover the annual crossing signal maintenance and the incidental repair and maintenance cost of the crossing surface.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra

Noes: None

Absent: None

Abstain: None

*** d. Mayor Morrison opened consideration of Approval to Increase Contract with Critical Solutions, Inc., for Construction Management Services and Contract with Overton Security Services for the Police Building Seismic Retrofit (City Project No. PWC8649)**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Harrison, the City Council:

1. Authorized the City Manager or designee to approve Amendment No. 4 to the existing agreement for Police Department Seismic Retrofit Construction Management Services with Critical Solutions, Inc., for additional construction administration services in the amount not-to-exceed \$80,000, which will increase the total construction administration services contract to an amount not-to-exceed \$843,484.
2. Authorized the City Manager or designee to (1) approve Amendment No. 2 to the existing agreement for Police Department Seismic Retrofit Security Services with Overton Security Services for additional security services in the amount not-to-exceed \$67,000, which will increase the total security services contract to an amount not-to-exceed \$251,800.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra

Noes: None

Absent: None

Abstain: None

*** e. Mayor Morrison opened consideration to Approve Plans and Specifications and Award a Construction Contract in the Amount of \$392,038 to Community Playgrounds, Inc.**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Harrison, the City Council:

1. Approved the plans and specifications for the Tiny Tots Equipment Replacement project, City Project No. 8732 (PWC).

2. Rejected the bid from the lowest monetary bidder, Star Construction, Inc., as a non-responsive bid because it contains a nonwaivable irregularity.
3. Waived a minor irregularity and award the contract for the Tiny Tots Equipment Replacement project, City Project No. 8732 (PWC), to the second bidder, Community Playgrounds, Inc., in the amount of \$392,038 and authorize the City Manager or his designee to execute the contract.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra

Noes: None

Absent: None

Abstain: None

- * f. **Mayor Morrison opened consideration of Approval to Authorize the City Manager or Designee to Amend the Streetlight and Exterior Facilities Light Maintenance Contract with Republic ITS (Siemens) for Additional Work in the Amount of \$300,000 for a New Not-To Exceed Amount of \$936,495 for FY 2011/12, and if Additional Work Above the New Not-To-Exceed Amount is Deemed Necessary this Fiscal Year, Authorize the City Manager or Designee to Further Increase the Not-To-Exceed Amount by up to an Additional \$350,000 for a Not-To-Exceed Amount of \$1,286,495**

(This item removed from Consent Calendar to receive a verbal update from Public Works Director Jim Pierson regarding copper thefts). Staff responded to questions from Councilmembers.

On a motion by Vice Mayor Natarajan, seconded by Councilmember Harrison, the City Council:

1. Authorized the City Manager or his designee to execute a contract amendment with Republic ITS (Siemens) in the amount of \$300,000 for additional streetlight and exterior public facilities lighting services for a new not to-exceed amount of \$936,495 for the 2011/12 fiscal year.
2. If additional work above the amended not-to-exceed amount is deemed necessary, and staff determines that using the current Contractor continues to be the most cost effective approach, authorized the City Manager or his designee to execute another contract amendment with Republic ITS (Siemens) in an amount up to \$350,000 for additional streetlight and exterior public facilities lighting services for a new not-to-exceed amount of \$1,286,495 for the 2011/12 fiscal year.

Ayes: Mayor Morrison, Vice Mayor Natarajan,
Councilmembers: Harrison, Chan and Dutra

Noes: None

Absent: None

Abstain: None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

- a. Oral and Written Communications – None.**

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY – None.

7. OTHER BUSINESS

- a. Mayor Morrison opened consideration of Adoption of City Legislative Policies and Funding Priorities**

On a motion by Councilmember Harrison, seconded by Vice Mayor Natarajan, the City Council adopted the 2012 Legislative Policies and Funding Priorities, including changes from Councilmembers, and authorized the Mayor to convey the Legislative Policies and Funding Priorities to Assemblymember Wieckowski, Senator Corbett, and federal legislators.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

8. COUNCIL COMMUNICATIONS

Council Referrals

- a. Mayor Morrison opened consideration of Approval to Update to Council Assignments to Outside Commissions, Committees, or Boards**

On a motion by Councilmember Harrison, seconded by Vice Mayor Natarajan, the City Council adopted Resolution No. 2012-09 designating Council assignments to outside committees, commissions, and boards. This resolution modifies and replaces the resolution adopted by the Council on July 6, 2010.

Ayes:	Mayor Morrison, Vice Mayor Natarajan, Councilmembers: Harrison, Chan and Dutra
Noes:	None
Absent:	None
Abstain:	None

- b. Oral Reports on Meetings and Events – None.**

9. ADJOURNMENT: There being no further business, Vice Mayor Natarajan adjourned the meeting at 7:55 p.m.

Attest:

Approved:

Nadine Nader, City Clerk

GUS MORRISON, Mayor